

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

Bail Appl..No. 3532 of 2007()

CRIME NO.9/2006 OF BADIADKA EXCISE RANGE

PETITIONER/ACCUSED:

SHARADA, AGED 53,
W/O. NARAYANA MANIYANI, KUMBADAJE P.O.,
UBAGALA VILLAGE, KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REP.BY THE EXCISE INSPECTOR,BADIADKA EXCISE RANGE,
REP. BY THE PUBLIC PROSECUTOR,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13/06/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3532 of 2007

DATED:13-06-2007

O R D E R

Petitioner who is the sole accused in Crime No.9/2006 of Badiadka Excise Range for an offence punishable under Section 55(a) of the Kerala Abkari Act seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.P. No. 72/2007 on the file of the J.F.C.M, Kasargod, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation, this application is disposed of.

V.RAMKUMAR, JUDGE.

CSS/-